



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: JULY 10, 2006

*III.5.*  
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-06-26 AND PARCEL MAP PM-06-141  
232 OGLE STREET

DATE: JUNE 29, 2006

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER (714)754-5611

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## **DESCRIPTION**

The applicant is requesting approval to construct a two-story condominium duplex with a parcel map, which would allow the units to be sold independent of one another.

## **APPLICANT**

Alan Adams is the property owner and applicant for this project.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution, subject to conditions.

MEL LEE, AICP  
Senior Planner

  
R. MICHAEL ROBINSON, AICP *by rwr*  
Asst. Development Services Director

## PLANNING APPLICATION SUMMARY

Location: 232 Ogle Street Application: PA-06-26/PM-06-141

Request: Construct a two-story condominium duplex with a parcel map to allow the units to be sold independent of one another.

### SUBJECT PROPERTY:

Zone: R2-HD  
 General Plan: High Density Residential  
 Lot Dimensions: 50 ft. by 125 ft.  
 Lot Area: 6,250 sq. ft.  
 Existing Development: Single family residence and detached garage

### SURROUNDING PROPERTY:

North: C1-S, commercial uses  
 South: R3, residential uses  
 East: R2-HD, residential uses  
 West: R2-HD, residential uses

### DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
<b>Lot Size:</b>		
Lot Width	100 ft	50 ft*
Lot Area	12,000 sq. ft.	6,250 sq. ft.*
<b>Density:</b>		
Zone	1 du/3,000 sq. ft.	1 du/3,125 sq. ft.
General Plan		
<b>Lot Coverage:</b>		
Building	N/A	45% (2,806 sq. ft.)
Paving	N/A	15% (942 sq. ft.)
Open Space:	40% (2,500 sq. ft.)	40% (2,502 sq. ft.)
2 <sup>nd</sup> to 1 <sup>st</sup> floor ratio**:	80% x 2,806 sq. ft. = 2,245 sq. ft.	86% (2,413 sq. ft.)
Building Height:	2 stories/27 ft.	2 stories/27 ft.
<b>Setbacks:</b>		
Front	20 ft.	18 ft. (20 ft to garage door)***
Side (left/right) – 1 <sup>st</sup> story	5 ft./5 ft.	5 ft. /5 ft.
Side (left/right) – 2 <sup>nd</sup> story	10 ft. avg./10 ft. avg.	11 ft. avg./11 ft. avg.
Rear (alley)	5 ft.	19 ft.
Driveway Width:	16 ft.	16 ft.
<b>Parking:</b>		
Covered	2	4
Open	5	4
Guest	1	1
TOTAL	8	9

CEQA Status Exempt Class 3

Final Action Planning Commission

\*Legal nonconforming

\*\*Residential design guideline

\*\*\*Minor modification requested (see staff report discussion)

## **BACKGROUND**

The subject property contains a one-story single-family residence and detached garage. On August 5, 2004, the Zoning Administrator approved Minor Design Review ZA-04-38 to construct a new two-story duplex with a minor modification to allow the garage columns to encroach two feet into the required 20-foot front yard setback<sup>1</sup>. The property owner proposes to construct the previously approved duplex as a two-unit condominium (common interest) development.

## **ANALYSIS**

Pursuant to Code Section 13-40(a)(1), Planning Commission review via a design review is required for all common interest developments. The applicant is also requesting approval of a parcel map to allow the individual units to be sold independent of one another.

Common interest developments must comply with additional development standards above those applicable to rental units. These additional development standards include provision of a minimum 10-foot by 10-foot private open space for each unit; façade breaks for attached units, and provision of on-site lighting. The project complies with these requirements. Because the residences are two-story, the development is required to comply with the City's Residential Design Guidelines. The second floor exceeds the 80% second floor to first floor ratio recommended in the Design Guidelines (86% is proposed). However, it is staff's opinion that the project is consistent with the City's Residential Design Guidelines because the design includes various roof forms in the building elevations to provide visual interest, with appropriate transitions between the first and second stories. Privacy of the adjoining neighbors will not be impacted because windows have been designed to minimize direct lines-of-sight into yard areas and windows on neighboring properties.

The map complies with the requirements of the Subdivision Map Act and Chapter XI (Subdivision) of the Zoning Code. Standard code requirements include common maintenance of open space, parking, and driveway areas, as well as requiring a provision in the CC&Rs regarding use of garages for parking only.

As indicated earlier, the Zoning Administrator previously approved a minor modification to allow the garage columns to encroach two feet into the required 20-foot front yard setback. The approval was based on the columns being an architectural feature and the only portion of the building to encroach into the setback. The remaining structure, including the garage door itself, meets the 20-foot setback requirement.

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<sup>1</sup> A time extension was granted to August 2006.

**GENERAL PLAN CONFORMITY**

Approval of the project will satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City. The proposed project meets the General Plan's Land Use and Housing Elements goals and objectives for additional ownership housing and will improve the balance between rental and ownership housing opportunities within the City. The units, whether utilized as apartments or condominiums, are consistent with the property's current High Density General Plan land use designation.

**ALTERNATIVES**

If the duplex is not approved as a common interest development, the applicant could still construct the project as rental units under the previously approved ZA-04-38.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 for New Construction or Conversion of Small Structures.

**CONCLUSION**

The project is in compliance with all common interest development requirements. The parcel map is also in compliance with applicable State and City requirements. Therefore, staff recommends approval of the request.

Attachments:      Draft Planning Commission Resolution  
                          Exhibit "A" - Draft Findings  
                          Exhibit "B" - Draft Conditions of Approval  
                          Applicant's Project Description and Justification  
                          Location Map  
                          Plans

cc:      Deputy City Manager - Dev. Svs. Director  
             Deputy City Attorney  
             City Engineer  
             Fire Protection Analyst  
             Staff (4)  
             File (2)

Alan Adams  
 833 Dover Drive #26  
 Newport Beach, CA 92663

**RESOLUTION NO. PC-06-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-06-26 AND PARCEL MAP PM-06-141**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Alan Adams, property owner, with respect to the real property located at 232 Ogle Street, approval to construct a two-story condominium duplex with a parcel map, which would allow the units to be sold independent of one another, in the R2-HD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on July 10, 2006.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-26 and Parcel Map PM-06-141 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Application PA-06-26 and Parcel Map PM-06-141 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

**PASSED AND ADOPTED this 10th day of July, 2006.**

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Bill Perkins, Chair  
Costa Mesa Planning Commission

STATE OF CALIFORNIA   )  
  )ss  
COUNTY OF ORANGE    )

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 10, 2006, by the following votes:

AYES:           COMMISSIONERS

NOES:           COMMISSIONERS

ABSENT:        COMMISSIONERS

ABSTAIN:       COMMISSIONERS

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Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"****FINDINGS**

- A. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(e) in that:
- a. The project is compatible and harmonious with existing development and uses in the general neighborhood.
  - b. Safety and compatibility of the design of buildings, parking areas, landscaping, luminaries and other site features, which includes functional aspect of the site development such as automobile and pedestrian circulation, have been considered.
  - c. The project is consistent with the General Plan in that the conversion will satisfy General Plan goals that encourage additional home ownership opportunities.
  - d. The planning application is for a project-specific case and is not to be construed to be setting a precedent for future development.
  - e. The cumulative effect of all the planning applications has been considered.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the project complies with the City of Costa Mesa Zoning Code, and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features. The visual prominence associated with the construction of a two-story duplex has been reduced through appropriate transitions between the first and second floors and the provision of second floor offsets to avoid unrelieved two-story walls. Specifically, although the second floor exceeds the 80% second floor to first floor ratio recommended in the City's Residential Design Guidelines (86% is proposed) the design includes various roof forms in the building elevations to provide visual interest, with appropriate transitions between the first and second stories. Privacy of the adjoining neighbors will not be impacted because windows have been designed to minimize direct lines-of-sight into yard areas and windows on neighboring properties.
- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(6) in that the proposed development will not be materially detrimental to the health, safety, and general welfare of persons residing or working within the immediate vicinity of the project site or to property and improvements within the neighborhood. Specifically, the two-foot encroachment into the required front yard setback is the result of an architectural feature (garage columns) while the actual building and garage door will be set back 20 feet. The columns add interest to the front elevation by breaking up the building mass and providing a visual transition from the first to the second floor.

- D. The proposed single lot airspace subdivision for condominium purposes is consistent with the City's General Plan and Zoning Ordinances.
- E. The subject property is physically suitable to accommodate PM-06-141 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- F. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- G. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entry and/or public utility rights-of-way and/or easements within the tract.
- H. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- I. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction or Conversion of Small Structures.
- J. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- Plng. 1. Construction, grading, materials delivery, equipment operation or other noise-generating activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and between the hours of 8 a.m. and 7 p.m., on Saturday; there shall be no construction activity on Sunday and Federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting or other quiet interior work.
2. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
3. The subject property's ultimate finished grade level may not be filled/raised unless necessary to provide proper drainage, and in no case shall it be raised in excess of 30 inches above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable on-site stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall be continuously maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
4. Street addresses shall be displayed on the front of the house adjacent to the main entrance and/or front door of each residence in a manner visible to the private street and alley. Street address numerals shall be a minimum 6 inches in height with not less than ½-inch stroke and shall contrast sharply with the background.
5. Address assignment shall be requested from the Planning Division prior to submittal of working drawings for plan check. The approved address of individual units, suites, buildings, etc, shall be blueprinted on the site plan and on all floor plans in the working drawings.
6. Prior to issuance of building permits, applicant shall contact the U.S. Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
7. The applicant shall contact Comcast (cable television) at 200 Poularino, Costa Mesa (888) 255-5789 prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
8. The conditions of approval and ordinance or code provisions of Planning Application PA-06-26 and Parcel Map PM-06-141 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
9. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

10. The CC&R's shall require that garage spaces be used for parking only. Any changes made to this provision require prior review and approval by the City of Costa Mesa.
11. The CC&R's shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.
12. The applicant shall show proof of compliance with all applicable conditions of approval and code requirements prior to recordation of the final map. This condition shall be completed under the direction of the Planning Staff.
13. Applicant shall contact the Building Safety Division, prior to recordation of the parcel map, to provide proof that the Uniform Building Code requirements for condominiums have been satisfied.
14. The elevations of units visible from off-site shall have enhanced architectural details and window treatments per the direction of Planning staff.
- Eng. 15. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

**PLANNING DIVISION - CITY OF COSTA MESA**  
**DESCRIPTION/JUSTIFICATION**

Application #: PA-06-26/PM-06-141

Environmental Determination: EYEMPT

Address:

232 Ogle Street, Costa Mesa, CA 92627

**1. Fully describe your request:**

Tentative Tract Map to create two legal units for the new development project

**2. Justification**

**A.** For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

**B.** For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

**3. This project is: (check where appropriate)**

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☐ In a Specific Plan Area.

**4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:**

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

  
Signature

4/12/2006  
Date

# 232 OGLE STREET





## Legend

- ☐ Parcel Addresses
- Street Names
- Parcel Lines
- Ortho Photography
- Parcels

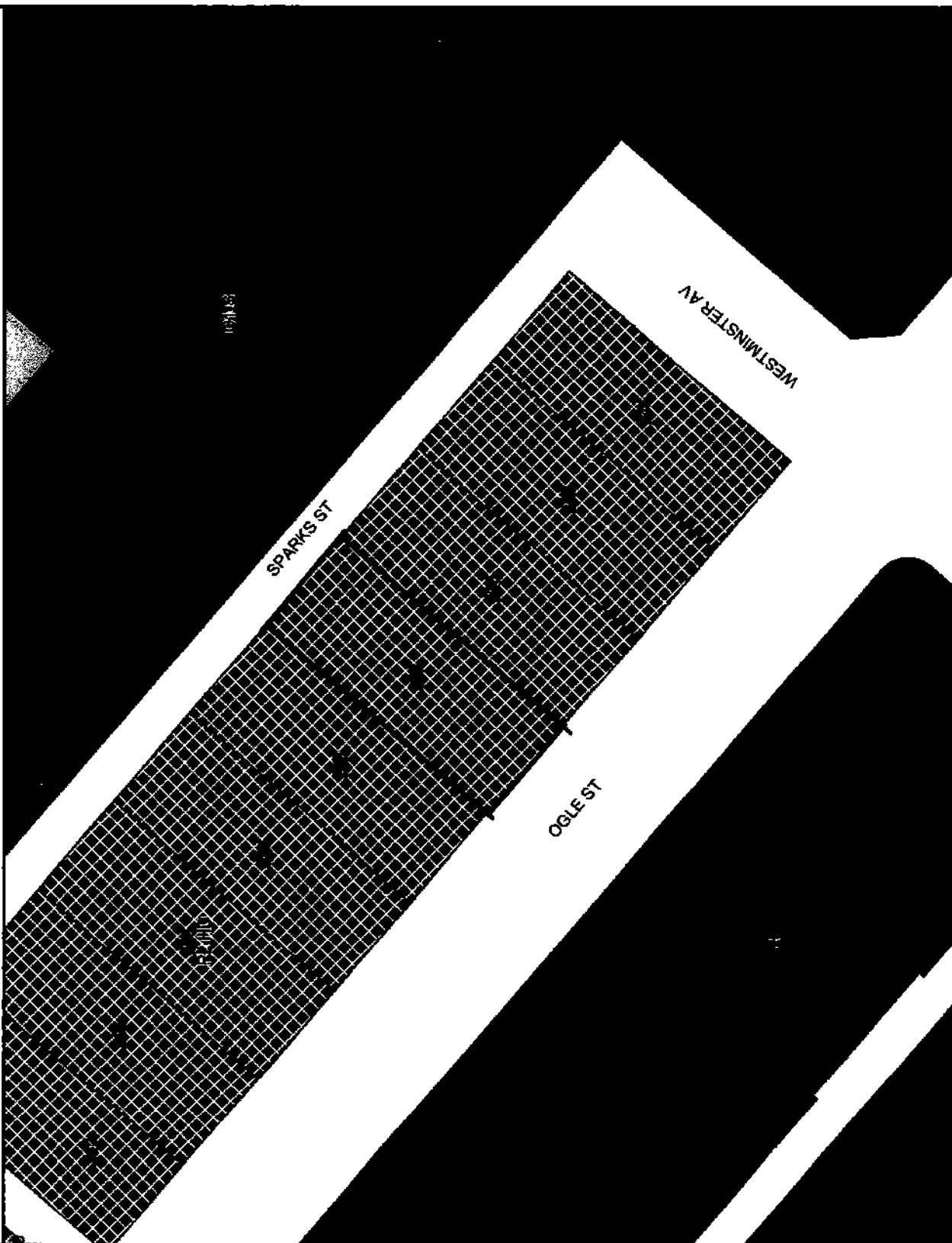


# ZONING/LOCATION MAP

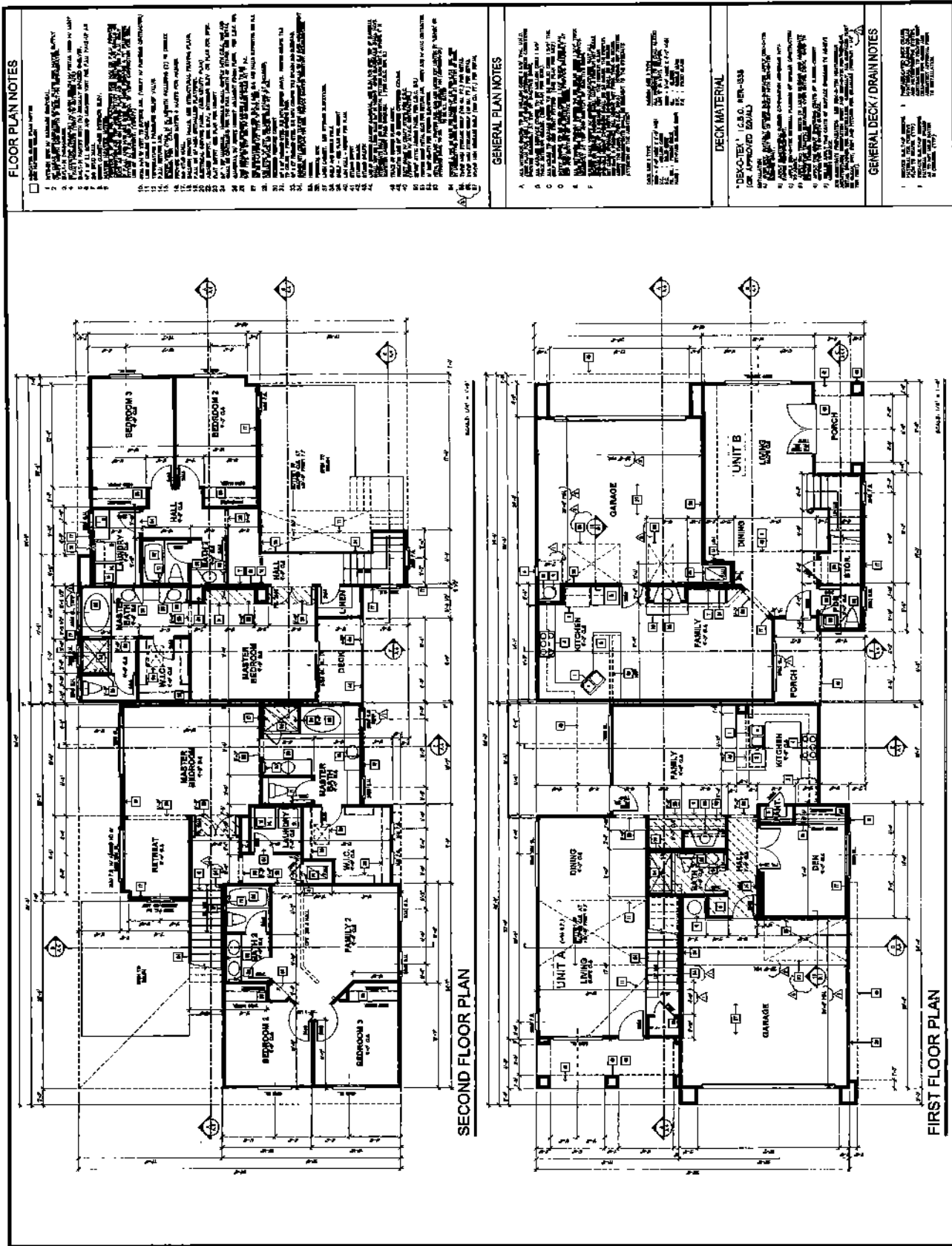
## Legend

	Parcel Addresses
	Street Names
	Parcel Lines
	Zoning

AP	C1	C1-S	C2	CL	IAR	IAR-S	MG	MP	P	PDC	PDI	PDR-HD	PDR-LD	PDR-MD	PDR-NCM	R1	R2-HD	R2-MD	R3	TC	Parcels
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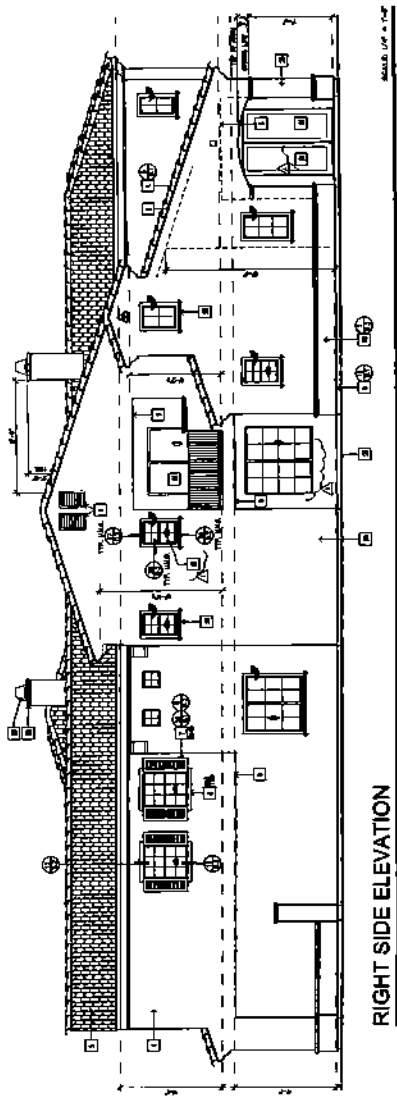




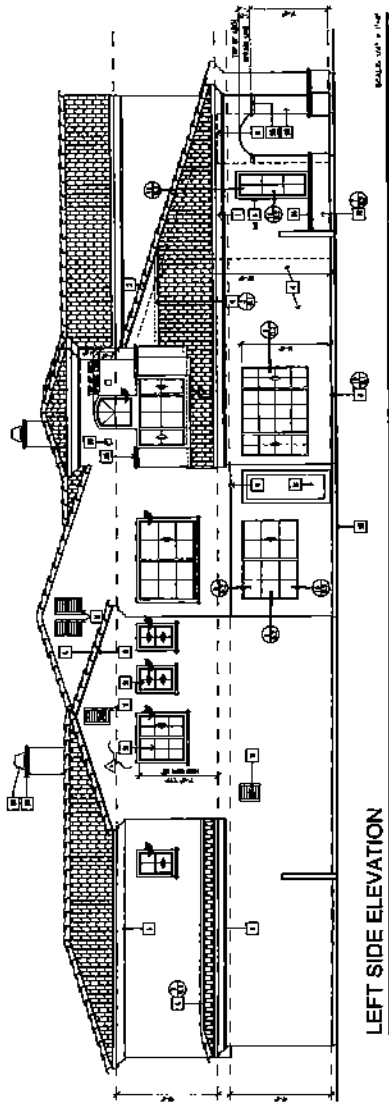


### EXTERIOR ELEVATION NOTES

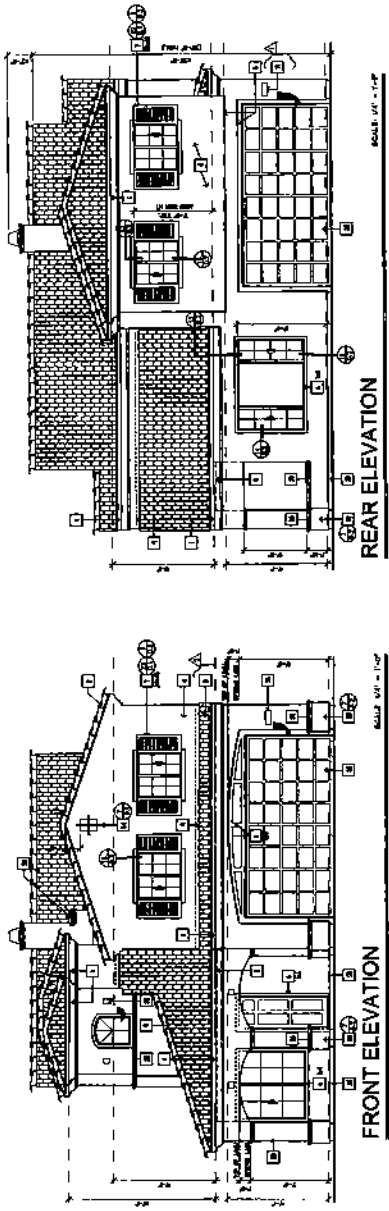
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### RIGHT SIDE ELEVATION



**LEFT SIDE ELEVATION**



**FRONT ELEVATION**

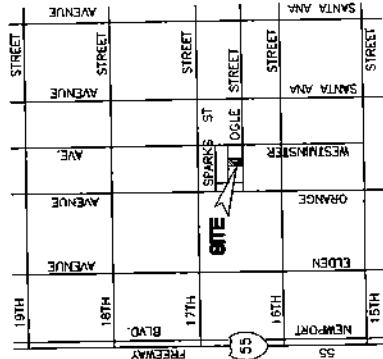
### REAR ELEVATION



# TENTATIVE PARCEL MAP NO. 2006-141

IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA.  
 ROBIN B. HAMERS AND ASSOC., INC.  
 DATE OF SURVEY: APRIL 2006

RECEIVED  
 CITY OF COSTA MESA  
 DEVELOPMENT SERVICES  
 MAY - 8 2006



## FOR CONDOMINIUM PURPOSES

OWNER AND SUBDIVIDER

ALAN ADAMS  
 833 DOVER DRIVE, SUITE #25  
 NEWPORT BEACH, CA. 92663  
 (949) 722-1331

ROBIN B. HAMERS

DATE OF PREPARATION

DECEMBER 2005

ENGINEER

ROBIN B. HAMERS AND ASSOC., INC.  
 234 E. 17TH STREET, SUITE 205  
 COSTA MESA, CA. 92627  
 (949) 548-1192

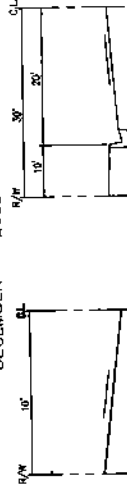


SITE ADDRESS:

232 OGLE STREET  
 COSTA MESA, CA. 92627

ALLEY

TYPICAL STREET SECTION



OGLE STREET

LEGEND

SYMBOLS/LEGEND

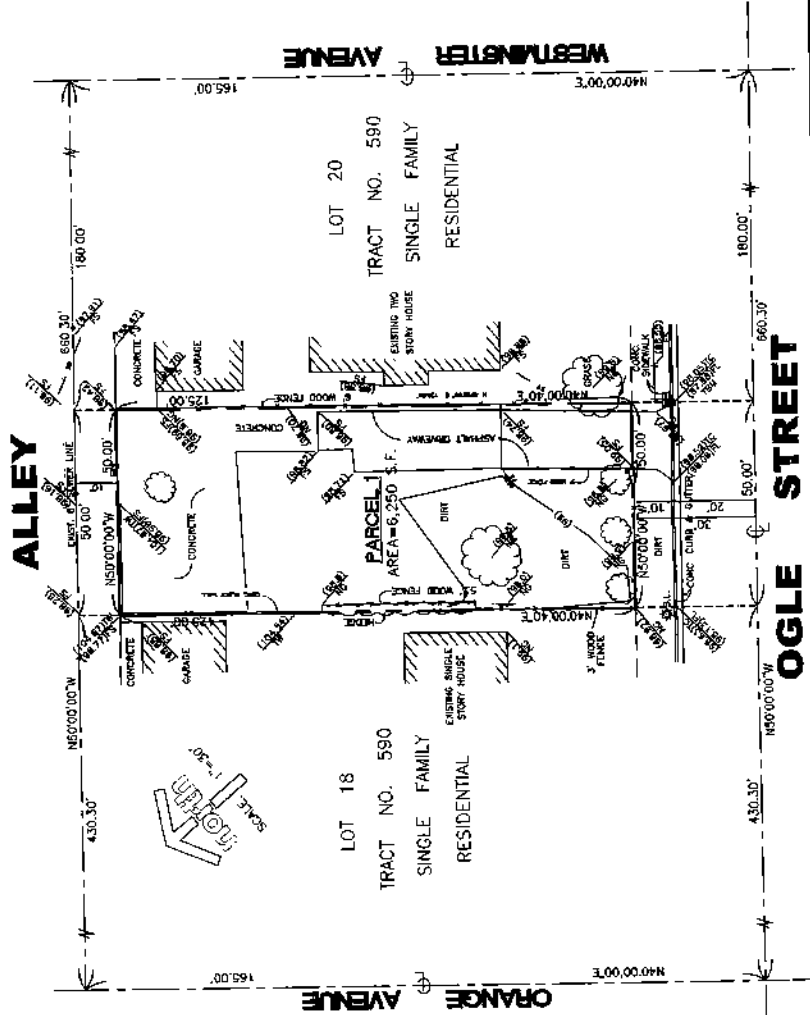
- PARCEL BOUNDARY
- RIGHT-OF-WAY LINE
- WATER LINE
- SEWER LINE
- STREET CENTERLINE
- SQUARE FEET
- ACRES
- BACK OF WALK
- TOP OF CURB
- FLOWLINE
- FINISHED FLOOR
- CONCRETE
- EASEMENT LINE
- SPOT ELEVATION
- PARCEL LINE
- EXISTING CONTOUR

### AREA SUMMARY

PROPOSED PARCEL 1: 6,250 S.F. (0.143 ACS)  
 (AREA OF SITE)

### PROPOSED NUMBER OF PARCELS

1 NUMBERED PARCELS



### LEGAL DESCRIPTION

LOT 19 OF TRACT NO. 590, IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 31, PAGE 36, OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

### ASSESSOR'S PARCEL NUMBER

APN: 425-203-04

### SETBACK REQUIREMENTS

FRONT SETBACK: 20 FEET  
 SIDE SETBACK: 5 FEET  
 REAR SETBACK: 20 FEET

### WATERCOURSES

THERE ARE NO WATERCOURSES CROSSING THE SITE OR ADJOINING PROPERTIES

### EASEMENTS

NO EASEMENT ON-SITE

### BASIS OF BEARING

THE BEARING SHOWN HEREON ARE BASED UPON THE BEARING BETWEEN O.C.S. HORIZONTAL CONTROL STATION GPS NO. 6171 AND STATION GPS NO. 6158 BEING N49°01'35"W PER RECORDS ON FILE IN THE OFFICE OF N49°01'35"W PER RECORDS ON FILE IN THE OFFICE OF

### PURPOSE

TO CONSTRUCT TWO CONDOMINIUM

### FLOOD ZONE

ZONE X, OUTSIDE THE 500 YEAR FLOOD BOUNDARIES

